

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Asia Gaines, for herself and as next friend of)
her minor child, "JC,")

Plaintiffs,)

v.)

The Chicago Board of Education, Kristen A.)
Haynes, and Juanita Tyler,)

Defendants.)

Case No. 1:19-cv-00775

The Honorable Gary S. Feinerman

JOINT STATUS REPORT

The parties, through their respective undersigned counsel, and pursuant to the Court's October 10, 2022 Order (Dkt. 230), submit the following as their Joint Status Report:

1. The parties are working on a date to schedule Ms. Tyler's deposition, which is the final matter remaining in discovery. Her counsel reports that Ms. Tyler has been hospitalized since October 25 and will remain in the hospital for the next several weeks. Accordingly, Ms. Tyler's availability has not been ascertained. Ms. Tyler's counsel is in touch with her medical providers and will provide her availability for a deposition to other counsel as soon as possible.
2. The parties request another 30 days (until December 12, 2022) to submit another status report regarding Ms. Tyler's deposition.
3. Defendants request 45 days after Ms. Tyler's deposition to file their dispositive motions to allow for obtaining her deposition transcript.
4. Plaintiff's position is that the briefing on any defendant Board of Education motion for summary judgment can and should proceed now without any further delay in this 2018 case. Plaintiff noticed, subpoenaed, and compelled defendant Tyler's deposition back in 2020 and, while plaintiff plans to call Tyler to testify at trial, the issues the Board's motion for summary

judgment will raise (such as whether defendant Haynes acted within the scope of the Board's employment and where the evidence for plaintiff's *Monell* claim is disputed) do not hinge on Tyler's testimony, which, in any event, is summarized in her detailed statements regarding the underlying incident to police, DCFS, and a CPS investigator. Plaintiff requests 45 days to response to defendant Board's motion for summary judgment. Plaintiff will take defendant Tyler's deposition when she becomes available.

Date: November 10, 2022

Counsel for Plaintiff

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CERTIFICATE OF SERVICE

I, Elizabeth K. Barton, certify that on November 10, 2022, a copy of the foregoing **Joint Status Report** was filed using the Court's CM/ECF electronic filing system, which sent a copy to all counsel of record.

By: /s/ Elizabeth K. Barton
Elizabeth K. Barton, Atty No. 6295848